

**In the Drawings**

The attached replacement and annotated sheet(s) of drawings include changes to FIGS. 2 and 3 as follows:

FIG. 2 has been amended to correctly spell the term "DATABASE".

FIG. 3 has been amended to add reference designations S2, 23, S7 and S8.

Attachments: Replacement sheet(s)  
Annotated sheet(s) showing changes

## **REMARKS**

The Office Action mailed November 2, 2005 has been carefully considered. Reconsideration in view of the following remarks is respectfully requested.

### **Title of the Invention**

The Title of the Invention has been changed in order to be more descriptive.

### **Drawings**

The drawing figures have been corrected in accordance with the Examiner's suggestions. Specifically, FIG. 2 has been amended to correctly spell the term "DATABASE," and FIG. 3 has been amended to add reference designations S2, 23, S7 and S8. No new matter has been introduced. Approval of the corrections is respectfully requested.

### **Claim Objections**

Claim 1 was objected to and has been corrected to address the objections, changing the phrase "includes the link name" to "includes a link name," and the phrase "the video data file name" to "a video data file name" in accordance with the Examiner's suggestions, which are gratefully acknowledged. The other independent claims have been similarly amended.

### **Rejection(s) Under 35 U.S.C. §§ 102 and 103 based on Javed**

Claims 1, 3-8, 10-11 and 13 were rejected under 35 U.S.C. § 102(e) as anticipated by Javed (U.S. 2002/0162112). Claims 2, 9 and 12 were rejected under 35 U.S.C. § 103(a) as unpatentable over Javed (U.S. 2002/0162112).

In accordance with an aspect of the invention, there is generated a distribution list which defines a distribution order of video data and which includes a link name that is linked to the video data (or another distribution list) as a distribution request destination, generates a link list that is a correspondence list between the link name and a video data file name (or a distribution list name) corresponding to the link name, and updates the video data file name (or the

distribution list name) corresponding to the link name in the link list to another video data file name (or another distribution list name) depending on distribution conditions. Please note that the parenthesized phrases are additional features of Claims 7, 10, and 13. While none of these features are disclosed in or suggested by Javed, the discussion below will, for simplicity and convenience, focus on the features common to all the independent claims. Thus, the present invention employs a two-stage structure of the distribution list and the link list in which the link list (the link name) is interposed between the distribution list and a video data file. In other words, the present invention does not generate a list which includes a video data file name itself which is to be distributed. Rather, a distribution list including a link name linked to video data and a link list including a link name which has the same name as the link name in the distribution list are generated, and the distribution list is distributed, and video data is distributed from a video distribution system to a user terminal by referring to the link list, which is a correspondence list between the link name and the video data file name. As such, even if the distribution list has been distributed, it is possible to perform the replacement of a video data file name to be distributed by simply updating the video data file name in the link list at the video distribution system. For example, it is possible to replace a video data file even if it becomes impossible to distribute the video data file, which was able to be distributed at the time of the distribution of the distribution list, due to a change in the distribution conditions after the distribution of the distribution list.

In contrast, Javed merely indicates downloading a single video file, which has been selected by a subscriber from among a plurality of video files, from a VPOP network to a subscriber site (see, for example, the abstract; line 7-4 from the bottom of paragraph [0043]; and lines 6-7 of paragraph [0047]). In addition, in order for a subscriber to download two or more video files, every time the subscriber attempts to download each video file, the subscriber must repeat operations of selecting a video file using web pages shown in FIGS. 9-10 and subsequently directing the system to download the selected video file. Moreover, although the system of Javed includes a plurality of subscriber sites, assuming that each of two or more subscribers downloads a video file, Javed merely suggests that a single video file selected by each subscriber is downloaded to each subscriber site corresponding to each subscriber, independently of the download operation for another subscriber. Javed fails to disclose even a

distribution list which includes a video data file name itself (such a distribution list is different from the distribution list of the present invention), let alone the two stage structure of the distribution list and the link list of the present invention which are associated with each other via the link name.

With respect to the distribution list generating device of the present invention, the Examiner states in lines 5-7 of page 4 of the Office Action:

Javed teaches, “a distribution list generating device that generates said distribution list that includes the link name that links to video data as a distribution request destination” by disclosing video distribution controller 222 guides the subscriber through a sequence of web site menus from which the subscriber may select a video.

However, the guide to the subscriber in Javed which is pointed out by the Examiner merely allows a subscriber to select a desired video file using web pages (refer to FIGS. 9 and 10) which display icons corresponding to respective movies. Javed merely suggests a list of videos which the subscriber can buy or rent.

Moreover, as explained above, Javed merely downloads a single video file selected by a subscriber (specifically, the first selected video file) to a site corresponding to the subscriber. Javed fails to suggest even the generation of a list including a plurality of video files to be downloaded.

Furthermore, in Javed, a subscriber selects a download icon of either one of movies to thereby direct the system to start the downloading of a video file of the selected movie (refer to paragraph [0070], etc.). That is, Javed merely suggests that a download icon is directly associated with a video file corresponding to the download icon.

The claimed invention generates the distribution list which defines a distribution order of video data, which implies the distribution of a plurality of items of video data. In contrast, Javed fails to disclose or suggest such a list, let alone the claimed distribution list, which does not include a video data file name itself but includes a link name linked to video data.

With respect to the claimed link list generating device, the Examiner states in lines 9-11 of page 4 of the Office Action:

Javed teaches “a link list generating device that generates a list that is a correspondence list between said link name and the video data file name corresponding to said link name” by disclosing when a subscriber wishes to buy or rent a video, the subscriber browses a VISIP web site 220. Further, figure 9 shows an exemplary web page with a list of movies from which a subscriber may select.

However, this discussion in Javed referenced by the Examiner with respect to the link list generating device is substantially the same as that pointed out with respect to the distribution list generating device. As explained with respect to the distribution list generating device, Javed merely suggests the list of video files which the subscriber can buy or rent. Javed fails to suggest even the use of two kinds of list for a download process, let alone associating two kinds of list. As explained above, Javed directly associates the download icons on the web page 900 with video files corresponding to the download icons. In this way, Javed fails to disclose or suggest the link list of the present invention having the aforementioned features.

With respect to the link list updating device of the present invention, the Examiner states in lines 14-19 of page 4 of the Office Action:

Javed teaches “a link list updating device that updates the video data file name corresponding to the link name in said link list to another video data file name depending on distribution conditions” by disclosing VPOP web site 230 which is used to supplement VISIP web site 220 with additional related information. When the user selects to review the movie Rocky, for example, web page 1000 (figure 10) is displayed showing a link Rent/Buy 1003 that is linked to a video data file name. If the user chooses to go back to web page 900 (figure 9) to select and review the movie First Blood, the Rent/Buy link 1003 is updated with the new video data file name corresponding to First Blood.

However, paragraph [0043] of Javed pointed out by the Examiner merely shows the following: video files and related identification information are retrieved by accessing a VISIP web site 220 from a VPOP web site 230; a video distribution controller 222 guides a subscriber through video selection menus, and information related to the selected video is transferred to a VPOP video access controller 232 so as to allow the subscriber to communicate with the VPOP

video access controller 232; and in response to the selection of a video by the subscriber, the selected video is downloaded from the VPOP video access controller 232 to an NVP controller 212 at a subscriber site. In short, Javed merely shows that a VISP performs brokerage between the subscriber and the VPOP when downloading the selected video (refer also to the last sentence of paragraph [0037]).

Moreover, as shown in paragraph [0072] of Javed, rent/buy icon 1003 is merely used for directing the system to start a download process, in the same manner as download icons 902, 912, and 922. Javed merely suggests that the rent/buy icon 1003 is directly associated with a video file corresponding to this icon.

Furthermore, the Examiner asserts that the rent/buy icon 1003 is updated with a new video data file name if going back to a web page 900. However, FIGS. 9-10 and paragraphs [0070]-[0072], etc., corresponding to these figures fail to mention the matters as asserted by the Examiner. Assuming the operations of commonly-used browsers, one of the following operations can be presumed: a web page 1000 for "Rocky" is closed before going back to the web page 900, and if, for example, a review icon 911 corresponding to "First Blood" is selected, a web page 1000 for "First Blood" is opened; or the web page 1000 for "Rocky" is not closed when going back to the web page 900, and if the review icon 911 is selected, another web page 1000 for "First Blood" is opened. Javed does not change the association between the rent/buy icon 1003 and the video file name. Thus, Javed fails to suggest updating the video file name in the link list as in the present invention.

In short, it is only possible for Javed to change a video file, which is to be downloaded to a subscriber site, to another video file in accordance with a direction from the subscriber only if a download process is not yet started. Moreover, Javed merely downloads a video selected by a subscriber to a site corresponding to the subscriber without any replacement. The VISP and the VPOP of Javed does not replace a video file corresponding to the selected video with another video file. In this way, Javed fails to disclose the link list updating device of the present invention, and the aforementioned advantageous effects according to the present invention cannot be obtained from Javed.

**Conclusion**


In view of the preceding discussion, Applicants respectfully urge that the claims of the present application define patentable subject matter and should be passed to allowance.

If the Examiner believes that a telephone call would help advance prosecution of the present invention, the Examiner is kindly invited to call the undersigned attorney at the number below.

Please charge any additional required fees, including those necessary to obtain extensions of time to render timely the filing of the instant Amendment and/or Reply to Office Action, or credit any overpayment not otherwise credited, to our deposit account no. 50-1698.

Respectfully submitted,  
THELEN REID & PRIEST, L.L.P.

Dated: 3/2/06

  
Khaled Shami  
Reg. No. 38,745

Thelen Reid & Priest LLP  
P.O. Box 640640  
San Jose, CA 95164-0640  
Tel. (408) 282-1855  
Fax. (408) 287-8040

Fig. 2

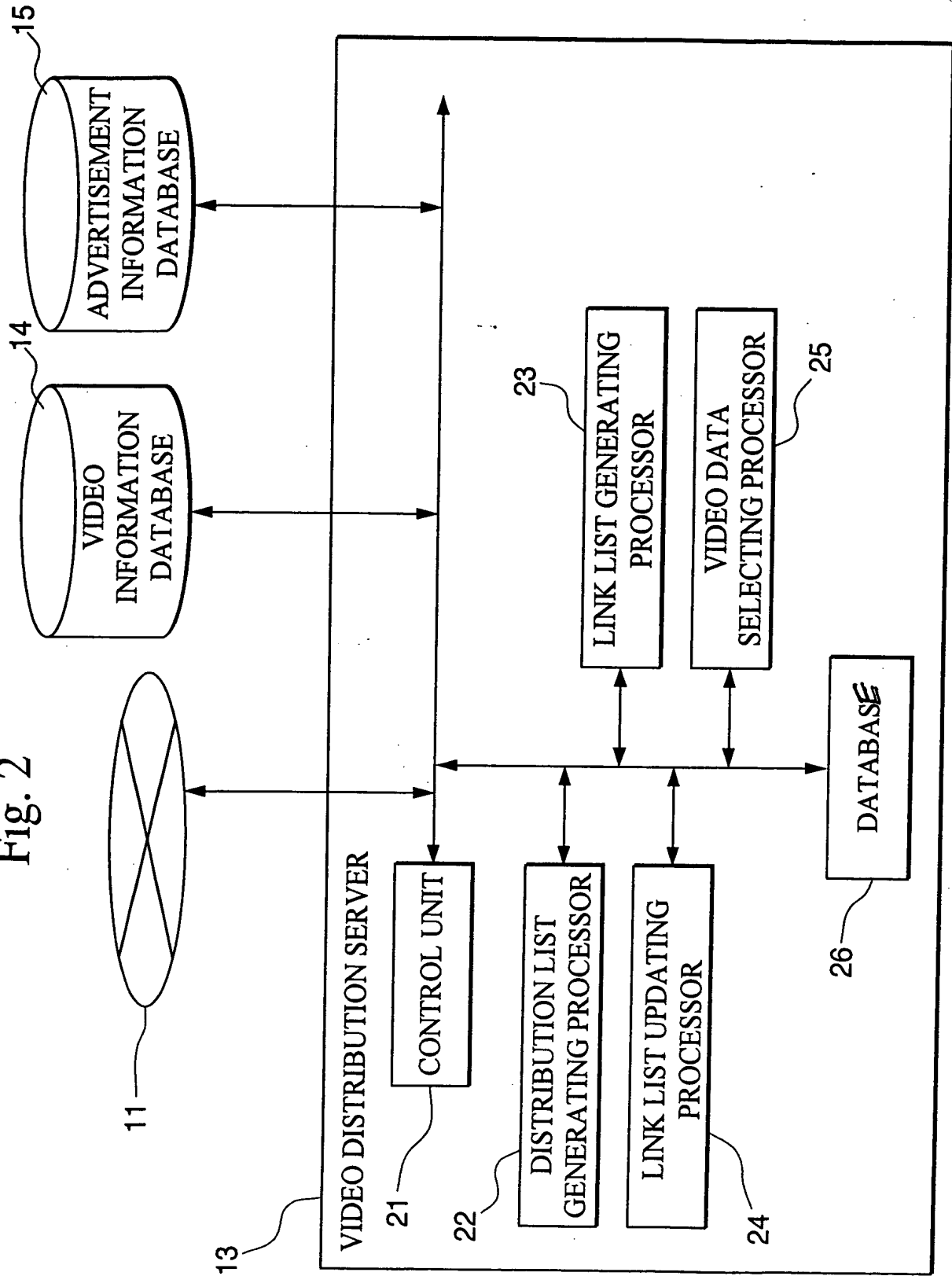




Fig. 3

